THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 26220 of 1997

Dated: 19-12-2006

Between:

S.Chan Basha

..... PETITIONER

AND

The District Collector,
Kadapa and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 26220 of 1997

O R D E R:

This writ petition is filed seeking a declaration that the action of the respondents in trying to demolish the building bearing Dr.No.68/38F, Trunk Road, Rayachoty Town, Kadapa is arbitrary and illegal.

This Court, while directing Rule Nisi, by order, dated 10-10-1997, granted interim stay of demolition which continued through out.

A counter affidavit has been filed on behalf of the 3rd respondent stating that the petitioner is an encroacher and has been in unauthorized occupation of the premises, which is obstructing free movement of the fast moving vehicles.

Having regard to the nature of the controversy involved, without expressing any opinion on merits, the writ petition is disposed of making it clear that any action for removal of the premises belonging to the petitioners, shall not be resorted to without following due process of law. No costs.

G. ROHINI, J

Dated:19-12-2006
KLP